

## § 29.401

### EXAMPLE 15—TEACHERS ACCRUED BENEFIT [Pre-96 hire]

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#### Total Annuity Computation

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Birth date: 11/01/42  
Hire date: 09/01/66  
Separation date: 09/10/98  
Department service: 32/00/10  
.015 service: 5  
.0175 service: 5  
.02 service: 22  
Average salary: \$62,150.00  
Total: \$37,445.38  
Total/month: \$3,120.00  
Sept 11–30: \$2,080.00  
Oct 1–31: \$3,120.00  
Nov 1–30: \$3,120.00

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#### Federal Benefit Payment Computation

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Birth date: 11/01/42  
Hire date: 09/01/66  
Freeze date: 06/30/97  
Department service: 30/10/00  
.15 service: 5  
.0175 service: 5  
.02 service: 20.833333  
Average salary: \$62,150.00  
Total: \$35,995.21  
Total/month: \$3,000.00  
Sept 11–30: \$2,000.00  
Oct 1–31: \$3,000.00  
Nov 1–30: \$3,000.00

### Subpart D—Claims and Appeals Procedures

SOURCE: 65 FR 80753, Dec. 22, 2000, unless otherwise noted.

#### § 29.401 Purpose.

(a) This subpart explains—

(1) The procedures that participants and beneficiaries in the Judges Plan, Police and Firefighters Plan, and the Teachers Plan must follow in applying for Federal Benefit Payments;

(2) The procedures for determining an individual's eligibility for a Federal Benefit Payment and the amount and form of an individual's Federal Benefit Payment as required by section 11021 of the Act and section 11–1570 of the D.C. Code;

(3) The appeal rights available under section 11022(a) of the Act to claimants whose claim for Federal Benefit Payments is denied in whole or in part; and

(4) The special rules for processing competing claimant cases.

## 31 CFR Subtitle A (7–1–01 Edition)

(b) This subpart does not apply to processing collection of debts due to the United States.

#### § 29.402 Definitions.

In this subpart—

*Act* means the Balanced Budget Act of 1997, Public Law 105–33, 111 Stat. 251, 712–731, 756–759, enacted August 5, 1997, as amended by the Omnibus Consolidated and Emergency Supplemental Appropriations Act for Fiscal Year 1999, Public Law 105–277, 112 Stat. 2681, 2681–530 through 538, 2681–552.

*Beneficiary* means an individual designated by a participant, or by the terms of the Judges Plan, Police and Firefighters Plan, or Teachers Plan, who is or may become entitled to a benefit under those plans.

*Benefits Administrator* means:

(1) During the interim administration period under section 11041 of the Act, the District of Columbia government, or

(2) After the Secretary notifies the District that the Trustee has been directed to carry out the duties and responsibilities required under the contract or determines that the Department shall carry out those functions, the Department, the Trustee selected by the Department under section 11035 of the Act, or any other agent of the Department designated to make initial benefit determinations under the Act.

*Claimant* means any person seeking a benefit for themselves or another under the Judges Plan, Police and Firefighters Plan, or Teachers Plan.

*Department* means the Secretary of the Treasury or a designee authorized to exercise the Secretary's authority with respect to Federal Benefit Payments under the Act.

*Participant* means an individual who is or may become eligible to receive a benefit under the Police and Firefighters Plan or the Teachers Plan based on credit for service accrued as of June 30, 1997, or under the Judges Plan, or whose beneficiaries may be eligible to receive any such benefit.

#### § 29.403 Applications filed with the Benefits Administrator.

All claimants for Federal Benefit Payments must file applications for